

**RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 3738** 

**PATENT** Attorney Docket No. 101.0078-00000 Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Gary K. Michelson, M.D.	) Group Art Unit: 3738
Serial No.: 09/593,591	) ) ) Examiner: P. Prebilic
Filed: June 13, 2000	) )
For: MANUFACTURED MAJOR LONG BONE RING IMPLANT SHAPED TO	)
CONFORM TO A PREPARED INTERVERTEBRAL IMPLANTATION	RECEIVED
SPACE SPACE	) DEC 2 0 2002
Assistant Commissioner for Patents	TECHNOLOGY CENTER H9700

Washington, D.C. 20231

Sir:

## **CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

Express Mail Mailing Label No. EV 044 233 542 US Date of Deposit: December 17, 2002

I hereby certify that:

- 1. Transmittal (in duplicate)
- 2. Amendment with attachments
- 3. Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings
- 4. Self-addressed return postcard receipt

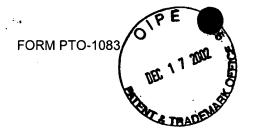
are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Assistant Commissioner Patents

Washington, ID\C,

14500 Avion Parkway, Suite 300 Chantilly, VA 20151-1101 Telephone: 703-679-9300

Facsimile: 703-679-9303



## **BOX AF RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 3738**

PATENT

Attorney Docket No.: 101.0078-00000

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Gary K. Michelson, M.D.

Serial No.: 09/593,591

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For: MANUFACTURED MAJOR LONG BONE RING IMPLANT SHAPED TO CONFORM TO A PREPARED INTERVERTEBRAL IMPLANTATION

**SPACE** 

Group Art Unit: 3738

Examiner: P. Prebilic

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TECHNOLOGY CENTER H370

Assistant Commissioner for Patents

Washington, D.C. 20231

**TECHNOLOGY CENTER R3700** 

Dear Sir:

Transmitted herewith is a reply to the Office Action dated September 17, 2002 in the above-identified application.

- 冈 No additional fee is required.
- Ø Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG \$ ENTITY FEE		ADD'L FEE DUE	
TOTAL CLAIMS FEE	129	-	147	=	0	LG=\$18	\$18	\$	0
INDEPENDENT CLAIMS FEE	3	-	5	=	0	LG=\$84	\$84	\$	0
							TOTAL	\$	0

 $\boxtimes$ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

 $\boxtimes$ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: 12-17-02

medeo F. Ferraro

Registration No. 37,129 Attorney for Applicant

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